



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Jan. 12, 2026  
Department: Planning and Economic Development  
Agenda Section: Consent  
Public hearing: Yes  
Date of public hearing: Nov. 20, 2025

#### PRESENTER/INFORMATION CONTACT

Molly Boyle, Senior Planner

#### ITEM TO BE CONSIDERED

**Subject:** Text amendment to Unified Development Ordinance Section 3, Administrative Procedures (staff-initiated)

#### Attachments:

1. Draft text amendment
2. Planning Board statement
3. Draft consistency statement
4. Draft ordinance

#### Summary:

This is a "housekeeping" text amendment to the Unified Development Ordinance to do the following:

- Remove reapplication waiting periods, which the General Assembly has prohibited as of Oct. 6, 2025, under Session Law 2025-94; and
- Clarify that subdivisions of 20+ lots in approved Planned Development Districts do not require Special Use Permits.

#### Comprehensive Sustainability Plan goal:

Town Government Goals and Actions 2: Adopt local laws, regulations, and policies that help to achieve sustainable and equitable outcomes.

- Strategy: Develop and adopt policies that help accomplish town goals.
- Action: Regularly review and update town policies as new information is garnered and achievements are met.

#### Financial impacts:

None.

#### Staff recommendation and comments:

##### Reapplication waiting periods

The current Unified Development Ordinance requires applicants to wait one year before resubmitting certain applications when withdrawn by the applicant or denied by the town board. These reapplication waiting periods are now prohibited by the General Assembly under Section 11.e of Session Law 2025-94. You can view the session law online here: <https://www.ncleg.gov/Sessions/2025/Bills/House/PDF/H926v10.pdf>.

##### Subdivision requirements for Planned Development Districts

Planned Development District requirements were added to the ordinance in 2022. The intent was to allow design

flexibility for mixed-use projects. Applicants can negotiate certain design elements with the town board, such as density, minimum lot size, and building setbacks.

Under the current Unified Development Ordinance, any subdivision of 20+ lots is required to get a Special Use Permit from the Board of Adjustment. However, that was not the intent for Planned Development Districts, since the town board already reviews and approves the subdivision design requirements with the Planned Development rezoning.

This text amendment removes the Special Use Permit requirement for subdivisions in Planned Development Districts, allowing for staff review instead, as is customary with most subdivision plans. Staff will review the subdivision plans for consistency with the Unified Development Ordinance and any conditions on the Planned Development District approved by the town board.

**Planning Board recommendation**

After the public hearing closed on Nov. 20, 2025, the Planning Board unanimously recommended approval of the text amendment as written (6-0). The written Planning Board statement is attached.

**Staff recommendation**

Staff recommends approval of the text amendment as written.

**Action requested:**

Approve the proposed text amendment by adopting the attached statement of consistency and ordinance.